

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PURDUE RESEARCH FOUNDATION,  
Plaintiff,  
v.  
GOOGLE LLC,  
Defendant.

Case No. [22-cv-03870-JSC](#)

**PRETRIAL ORDER NO. 1**

The Court held an initial case management conference on August 11, 2022 and orders as set forth below.

**1. Schedule**

Initial disclosures:	August 19, 2022
Disclosure of asserted claims and infringement contentions; Plaintiff's initial production (Pat. Loc. R. 3-1 and 3-2):	August 25, 2022
Defendant's invalidity contentions; Defendant's initial production (Pat. Loc. R. 3-3):	October 13, 2022
Designation of experts for claim construction:	October 27, 2022
Counter-designation of experts for claim construction:	November 3, 2022
Exchange of proposed terms for construction (Pat. Loc. R. 4-2):	November 10, 2022
Exchange of preliminary claim constructions and extrinsic evidence (Pat. Loc. R. 3-8):	November 17, 2022
Plaintiff's damages contentions (Pat. Loc. R. 4-3):	December 1, 2022
Joint claim construction and prehearing statement and expert Reports (Pat. Loc. R. 3-9):	December 9, 2022
Defendant's responsive damages contentions (Pat. Loc. R. 4-4):	January 12, 2023

Completion of claim construction discovery (Pat. Loc. R. 4-5): January 26, 2023

Plaintiff's opening claim construction brief (Pat. Loc. R. 4-5): February 9, 2023

Defendant's responsive claim construction brief (Pat. Loc. R.4-5): February 16, 2023

Plaintiff's Reply Claim Construction brief (Pat. Loc. R. 4-6): February 23, 2023

Technology Tutorial (by video) March 2, 2023  
11:00 a.m.

Claim Construction Hearing (in Person) March 14, 2023  
9:00 a.m.

**2. Discovery**

- Interrogatories: 40 per side, including discrete sub-parts.
- Requests for Admission: 40 per side, except regarding authenticity.
- Requests for Production: No limit imposed.
- Fact Depositions: 70 hours of deposition time per side, including examination and cross-examination, with a presumptive limit of 7 hours of deposition time for any deponent under Rule 30(b)(1) or Rule 45. The time is doubled for any deposition requiring an interpreter; the hours against the limit are halved for any such deposition.
- Expert Depositions: 7 hours of examination for each expert report. For example, if an expert prepares reports on validity and infringement, the expert is subject to two days of deposition, each up to 7 hours.

**3. Further Proceedings**

The Court will hold a further case management conference via video on January 12, 2023 at 1:30 p.m. An updated joint case management conference statement is due one week in advance. The Court will be particularly interested in whether the parties have selected a private mediator for mediation to occur after the claim construction ruling. The Court also encourages the parties to adopt a remote deposition protocol.

**IT IS SO ORDERED.**

Dated: August 12, 2022

  
JACQUELINE SCOTT CORLEY  
United States District Judge